

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TODD GRIFFIN,	)	
	)	Civil Action No. 17 – 1560
Plaintiff,	)	
	)	District Judge Arthur J. Schwab
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
ALLEGHENY COUNTY PRISON, <i>et</i>	)	
<i>al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Todd Griffin (“Plaintiff”) is a former Pennsylvania inmate who initiated this action *pro se* by the filing of a Motion to Proceed *in forma pauperis* (ECF No. 1), which was granted on December 4, 2017 (ECF No. 2). His Complaint was docketed on December 4, 2017 (ECF No. 3), and the case was referred to United States Magistrate Judge Lisa Pupo Lenihan pursuant to the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

Defendants Orlando Harper and the Allegheny County Jail filed a Motion to Dismiss Plaintiff’s Complaint on April 5, 2018 (ECF No. 15), and Defendant John Williams filed a Motion to Dismiss on May 10, 2018 (ECF No. 23). Plaintiff filed responses in opposition to the Motions on May 11, 2018 (ECF No. 26) and June 1, 2018 (ECF No. 30), respectively.

On November 5, 2018, the Magistrate Judge issued a Report and Recommendation (“R&R”) wherein she recommended that the Motion to Dismiss filed by Defendants Orlando Harper and the Allegheny County Jail be granted as to the Allegheny County Jail and denied as

to Orlando Harper. (ECF No. 38.) She also recommended that the Motion to Dismiss filed by Defendant John Williams be denied. *Id.* The R&R was served on the parties who did not file written Objections. As such, after careful *de novo* review, the following Order is now entered.

**AND NOW**, this 6<sup>th</sup> day of December, 2018;

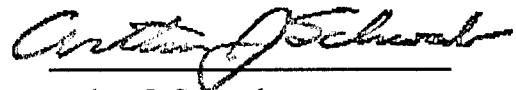
**IT IS HEREBY ORDERED** that the R&R of the Magistrate Judge (ECF No. 38) is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion to Dismiss filed by Defendants Orlando Harper and the Allegheny County Jail (ECF No. 15) is granted as to the Allegheny County Jail and denied as to Orlando Harper.

**IT IS FURTHER ORDERED** that the Motion to Dismiss filed by Defendant John Williams (ECF No. 23) is denied.

**AND IT IS FURTHER ORDERED** that the case is referred back to the Magistrate Judge for all further pretrial proceedings.

By the Court:



Arthur J. Schwab  
United States District Judge

cc: Todd Griffin  
415 Suncrest  
Pittsburgh, PA 15210

Counsel for Defendants  
(Via CM/ECF electronic mail)